



9666 Olive Street Blvd., Suite 215
St. Louis, MO 63132
(314) 282-3676 (o)
(314) 395-5882 (f)
www.erateprogram.com

July 10, 2013

Mrs. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Appellant: Richard Senturia, Consultant for the Applicant (CRN: 16040892)
Applicant: Macks Creek School District R5
BEN: 137534
Form 471 #: 725779
FRN #: 1965149, 1965148

Re: **Request for Review**

Administrator Denial for Invoice Deadline Extension Request dated 06/20/13 and Earlier
CC Docket No. 02-6

Dear Mrs. Dortch:

We are appealing USAC's denial of invoice deadline extension requests and subsequent appeals for FRNs 2030558 and 2030692 in letters dated June 20, 2013 and earlier, having the following explanation:

- **Current invoice deadlines and procedures require that Invoice Deadline Extension requests be filed by the end of the relevant invoice receipt period for the service category of the FRN requiring an extension. The invoice receipt deadline is 120 days after the end of the service delivery date or 120 days after the date of the Form 486 Notification Letter whichever is later. USAC rejected your request for Invoice Deadline Extension because the request was not filed in a timely manner. Since USAC's decision was consistent with Invoice Deadline Extension guidelines, your appeal is denied.**

In our original request and subsequent appeal we explained to USAC that the applicant experienced administrative changes beyond its control which resulted in the disruption of the continuity of its E-Rate program. To wit, the applicant's consultant was officially suspended from the E-Rate program on May 11, 2011¹ and officially debarred from participating in the E-Rate Program on February 8, 2013.² These circumstances, beyond the applicant's control resulted in the applicant's failure to file timely service provider invoice election notification letters or BEAR forms to capture funds due it.

Granting this waiver of a procedural deadline serves the public interest.

Granting this deadline extension waiver does not promote waste, fraud or abuse.

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There is precedence of the FCC waving this procedural deadline for purposes beyond the applicant's control.

We respectfully request approval of this invoice deadline extension appeal to allow the applicant to recover funds committed it that it has already paid for eligible services.

For the Applicant,

Richard Senturia, CEO
eRateProgram, LLC

¹ Suspension Notice, 27 FCC Rcd at 12312

² Notice of Debarment, FCC File No. Eb-12-IH-1396